(Sri D. T. SEETHARAMA RAO)

(c) whether they will consider to grant these reserve lands while releasing the reserve lands to the landless people in Arahatholalu, Edehalli, Dombarabyranahalli, Chandanakere, Agaradahalli, Tadasa, Malegenahalli, Kanasinakatte, Hanumanthapura, Vittalapur and Beeranahalli villages and also for the backward community people ?

*A.*—Sri KADIDAL MANJAPPA (Minister for Revenue).—

(a) The ryots in the submerged area are proposed to be given all the Government and Forest lands coming under irrigation under Bhadra Reservoir Right Bank Channel. Details regarding villages and survey numbers cannot be furnished as the excavation of the channels and distributaries has not been completed and the final atchkat list is not yet ready.

(b) All the survey numbers with an extent of 50 acres and below have been released for the local landless ryots. A list of such lands is under preparation. Apart from these extents, 2,768 acres have also been released for the local ryots.

(c) This is not possible as these lands are required for grant to expropriated ryots.

## PAPERS LAID ON THE TABLE

Sri T. MARIAPPA (Minister for Finance).—Sir, I beg to lay on the Table the statement of Supplementary and Additional grants for the year 1961-62 (I instalment) under clause (1) of article 205 of the Constitution of India.

## MEMBER'S REPRESENTATIONS

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—Sir, on the 6th September I have given a notice under rule 59.

Mr. SPEAKER.—I have already replied to it. I think the Hon'ble Member's has received my reply.

Sri C. M. ARUMUGHAM.—I have received a letter from the Legislature Secretary. But my point is this. Rule 59 says:

> "Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised:
>
> Provided that the notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter in question;
>
> Provided further that the notice shall be supported by the signatures of at least two other members."

Sir, I have fulfilled all these conditions an have given the notice. I have collected four signatures; if you want, I will get 20 signatures for this. The other point is...

Sri G. B. SHANKAR RAO (Hirekerur).—Sir, is it open for any member to explain the rules in this House?

Mr. SPEAKER.—There is some force in what Sri Shankar Rao says. I have received the members notice and I have already replied is that I am sorry, I cannot admit it.

Sri C. M. ARUMUGHAM.—Sir, I have got some ruling here. I want to submit it to you and leave the matter for your decision.

Mr. SPEAKER.—When the reply is given to the Hon'ble Member that I am not satisfied, that is the end of the matter.

2-00 P. M.

Sri C. M. ARUMUGHAM.—For my satisfaction I am bringing this.

Mr. SPEAKER.—No, No. It is the Chair which has to be satisfied.

Sri C. M. ARUMUGHAM.—The Chair must act according to the rules laid down.

Mr. SPEAKER.—I have acted according to rules.

Sri C. M. ARUMUGHAM.—I am bringing to the kind notice of the Chair–here it says:

> "60. If the Speaker is satisfied, after calling for such information from the member who has given notice and from the Minister..."

The chair's satisfaction should be based on the explanation from the Member and the Minister. If the chair is not satisfied, it must call for information. the chair say that explanation is there and that the matter is not urgent. I cannot understand. Without calling for any explanation from the Minister and Member concerned, the chair cannot say 'I am satisfied'. Even the provisio says:

> "Provided that if an early opportunity is otherwise available for the discussion of the matter the Speaker may refuse to admit the notice."

There is opportunity given earlier. The matter involved is with regard to the failure of the Labour Department of the Government. I am citing a decision from the Bengal Legislative Assembly as early as 1941:

" I heard the statement which has been made by the Hon'ble mover, as also the statement by the Hon'ble Minister. I feel that the motion is in order for the reason that so far as the facts are concerned there seems to be no difference substantially between the statement which has been made by the mover and by the Government. Whether from that statement a conclusion could be drawn that there is a failure of the department if labour in making an order which is contrary to the Constitution is not a matter which is not for me to decide. I am merely to find out as whether a *prima facie* case has been established, and

(Sri C. M. ARUMUGHAM)

without entering into the question whether thereis a failure or not, the House has the ultimate authority. I hold the motion to be in order."

Therefore Mr. Speaker so far as the motion is concerned, it is your right to decide whether it is in order or not. I have given notice of a motion and you say that the matter is not of public importance. Excuse me Sir, the matter cannot be disposed of in that matter by addressing a letter to me. Your Secretary writes–I do not know whether there is any provision under Rule 59 for writing such a letter--whether the Secretary can write such a latter to me, I doubt.

Mr. SPEAKER.—I have heard the matter sufficiently and I have given the ruling. He should not pursue it further. If a ruling as given, every member must have to take it.

Sri C. M. ARUMUGHAM.—You can give your ruling after hearing me fully.

Mr. SPEAKER.—I will read the rule which he has misquoted: It is true that I received a notice for raising a certain matter under Rule 59. I will read rule 60 which the Hon'ble Member seems to have misconstrued:

> "60. If the Speaker is satisfied, after calling for such information from the member who has given notice and from the Minister as he may consider necessary..."

I did not consider in this case that it was necessary for me to hear either the Member or the Minister. That is why I have disallowed it. I am really wonderstruck at the argument advanced by my friend, because the effect of that rule is so clear. There is no question of any body misconstruing it. If I have not called either the Member or the Minister or both, it should mean that I did not consider it necessary that I should call them. I have disallowed it.

Sri C. M. ARUMUGHAM.—So for as the Minister is concerned, it is left to the chair. If you consider necessary you can call for the Minister. It is unthinkable that the Speaker should not here the Member.

Mr. SPEAKER.—'...as he may consider necessary' applies to both. There should be an end of the matter.

Sri C. M. ARUMUGHAM.—Sir, when such a motion was brought before the House last week under Rule 59, I want to know what method was followed. Is there anything mentioned in the rule that the matter may be disposed by a letter through the Secretary saying that the matter is rejected and regret to say that it cannot be permitted. If there is any lapse on my part, the chair can say that I have not observed the rule. When I have followed the rules, the Chair also must followed the Rules.

Mr. SPEAKER.—After all, arguing with vehemence does not alter matters. I have said that it is not necessary for the Chair unless I consider it necessary to hear the Member. The rule is clear. If the meaning of the rule is challenged, that it is a different matter. The ruling of the Chair must be respected and any reasonable man who reads the rule will come to the conclusion that it applies not only to the Minister but it applies equally to the Member also. That being so, in this case, I did not consider that it was necessary for me to call the Member. That is why I did not call.

Sri C. M. ARUMUGHAM.—Are we to understand that the Chair can do anything without adopting the rules?

Mr. SPEAKER. —That is most objectionable. I have acted according to the rule and the Hon'ble Member will have to withdraw it. I have not acted arbitrarily. I will only ask the Member to be careful in choosing words. It is a question of the Chair. I have said that I have acted in conformity with rule 60 and my interpretation so far as I am concerned and so far as any reasonable member can read it, is correct.

Sri C. J. MUCKANNAPPA.—Sir, with respect to your decision, I am also one of the signatories.

Mr. SPEAKER.—Does it give him any right to speak when the Chair has given the ruling?

Sri C. J. MUCKANNAPPA.—With great respect to the ruling given by the Chair, may I know what are the reasons your goodself has assigned for rejecting this motion under rule 59?

Mr. SPEAKER.—The reason is that it is not a matter of urgent public importance to warrant the matter being raised for discussion under that rule.

Sri C. M. ARUMUGHAM.— Last week when a similar motion was brought before the House, you allowed the member to state what he had to say on the floor of the House. It is not a matter for correspondence. It is a matter which I wanted to raise in the House and anything should be done in the House only. Even if the Chair rejects my motion, it can reject it in the House.

Mr. SPEAKER.—All these words will have to be withdrawn by the Hon'ble Member. This is very objectionable. It is very objectionable to challenge the Chair. It is not correct. The Hon'ble Member will have to withdraw.

Sri B. K. PUTTARAMAIYA (Channapatna).— Why can't you allow the Member to quote some instances. Why don't you allow him to bring to your notice what he wants to say? I can understand you have got enough powers. In spite of that, you allow him to quote instances You have given such rulings previously.

Mr. SPEAKER.—Sri Puttaramiah is not concerned with this matter.

Sri B. K. PUTTARAMAIYA.—I am concerned with it, I am a signatory. If there are instances of your own ruling why can't you allow him to quote them?

Mr. SPEAKER.—Let him quote.

Sri C. M. ARUMUGHAM.—There were instances. Under rule 59 there was a motion last week. You must be aware of it.

Mr. SPEAKER.—What motion?

Sri C. M. ARUMUGHAM.—The Leader of the Opposition brought a motion under rule 59 so far as the Kolar Gold Mining Undertaking is concened. When that matter came up you were kind enough to allow the Leader of the Opposition to make a statement and you also allowed the Chief Minister to make a statement on that and afterwards it was rejected. That is the only instance during the current session.

Mr. SPEAKER.—It has not been taken up in the House.

Sri C. M. ARUMUGHAM.—It was taken up in the House. I will prove it.

Mr. SPEAKER.—As I understand from the Office and from the records it was not brought before the House. The motion was pending in the Office and even now it is pending.

Sri M. RAMAPPA (Harihar).—It was not moved, but a chance was given to make out whether there was a *prima facie* case or not.

Mr. SPEAKER.—I will tell the Hon'ble Member what happened. Sri Mallaradhya wanted to raise it but I did not allow him to do so. Then he gave an explanation and the Government also said something. The motion is still pending with me.

Sri B. K. PUTTARAMAIYA.-Then why can't you allow Sri Arumugham also to make a statement?

Mr. SPEAKER.-I have already given my ruling that I have disallowed it. In the other case no reply has been given as yet, but this case is very patent. This is not the only case of adjournment motion or notice of motion under rule 59 being tabled in this House. On so many occasions such motions had been tabled and I have disallowed them.

Sri M. C. NARASIMHAN.—In the other case was it by way of procedure that you allowed a statement to be made?

Mr. SPEAKER.—The present case cannot be raised here, because I have already disallowed it.

Sri C. M. ARUMUGHAM.—I am not raising it, but you allow me to make a statement.

Mr. SPEAKER.—I have allowed the member he took the floor for so many minutes.

Sri G. VENKATAI GOWDA (Palaiyam)—He is not making a statement.

Mr. SPEAKER.—I have told the member that there is a difference between this case and the other case.

Sri C. M. ARUMUGHAM.—The Chair may hear me first before it gives a ruling.

Mr. SPEAKER.—I have decided the case on its merits. In this case I did not think it necessary to call for an explanation from the Hon'ble Member. That is why I have given the final ruling. This is not the first time that such a notice has been tabled in this House. On so many occasions motions and notices under rule 59 had been tabled and I have disallowed them.

Sri C. M. ARUMUGHAM.—Last time when adjournment motion or notice under rule 59 was tabled you were kind enough to remark that "if Arumugham had tabled the motion I would have rejected it". Is it because Arumugham is a Scheduled Caste member? Is there anything Scheduled Caste or Backward Class or Forward Class in this?

Mr. SPEAKER.—I take exception to this.

Sri C. M. ARUMUGHAM.—The interest of the entire State is involved in this. What more public importance is needed?

Mr. SPEAKER.—He is arguing with me. I order Sri Arumugham to take his seat.

Sri C. M. ARUMUGHAM.—You tell me what I should do. So far as I am concerned this is a very important matter of public importance.

Mr. SPEAKER.—I order that the member should withdraw from the House.

Sri C. M. ARUMUGHAM.—That is all you can do. What else can you do? When I ask for justice you order me to clear.

(Sri C. M. ARUMUGHAM *withdrew*).

Sri B. K. PUTTARAMIAYA.—Since justice is not given, as a protest I am also getting out.

Mr. SPEAKER.—Sri Puttaramiaya also will withdraw

(Sri B. K. PUTTARAMIAYA *withdrew from the House*).

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## MYSORE LAND REFORMS BILL, 1961 AS REPORTED BY JOINT SELECT COMMITTEE.

*Consideration of Clauses contd.*

Mr. SPEAKER.—Consideration of clauses.

*Clause 2*

Sri V. S. PATIL (Belgaum 1).—I beg to move.

"That in clause 2, explanation II to item (11) of sub-clause (1) shall be deleted."